## DOCKET FILE CCPY ORIGINAL

## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

FCC 02M-77 01445

In the Matter of	) MB DOCKET NO. 02-139
YOUNGSTOWN RADIO LICENSE, L.L.C., (Assignor)	File Nos. BAL/BALH- 19991001ABM-ABP RECEIVED & INSPECTED
and	AUG 1 9 2002
CITICASTERS LICENSES, INC., (Assignee)	AUG 1 9 2002 FCC-MAILROOM
For Consent to Assignment of Licenses of WNIO(AM) and WNCD(FM), Youngstown, OH, WICT(FM), Grove City, PA and WAKZ(FM), Sharpsville, PA	) ) ) ) )

## ORDER

Issued: August 14, 2002 Released: August 16, 2002

A hearing was provisionally set under <u>Hearing Designation Order</u> FCC 02-165, released July 16, 2002 ("<u>HDO</u>"), provided that Youngstown Radio License, L.L.C., (assignor) and Citicasters Licenses, Inc. (assignee) did not jointly elect within 15 days to "defer consideration" of the assignment application. HDO at Para. 44. A Prehearing Conference was set for August 20, 2002. Order FCC 02M-67, released July 18, 2002.

By Joint Election timely filed on July 25, 2002, the Presiding Judge was notified as follows:

Youngstown Radio License, L.L.C., ("YRL") and Citicasters Licenses, Inc. ("Citicasters") by their counsel, hereby elect to defer consideration by the Commission of the above-captioned applications for consent to the assignment of the above-referenced stations from YRL to Citicasters, in accordance with the Commission's interim policy and pursuant to paragraph 44 of the Commission's Hearing Designation Order, ....

The <u>HDO</u> also was stayed automatically for a period of 20 days from the release date in order to permit the assignment parties an opportunity to file additional materials which they deem relevant to ameliorate competitive concerns identified in the <u>HDO</u>. <u>See HDO</u> at Paras. 49.

The procedural effect of the Joint Election is to defer further consideration of the applications to assign the licenses of Stations WNIO(AM) and WNCD(FM), Youngstown, Ohio, WICT(FM), Grove City, Pennsylvania and WAKZ(FM), Sharpsville, Pennsylvania from Youngstown Radio License, L.L.C. to Citicasters Licenses, Inc., in accordance with the Commission's interim policy under NPRM in MM Docket No. 01-317. See HDO at Para. 44. Therefore, there is no need at this time for formal, supervised discovery and hearing preparation.

Accordingly, IT IS ORDERED that the Prehearing Conference set for August 20, 2002, IS CANCELLED.

IT IS FURTHER ORDERED that unless the Commission orders otherwise, this hearing MUST BE AND IS DEFERRED pending further order.

FEDERAL COMMUNICATIONS COMMISSION

Richard L. Simol

Richard L. Sippel

Chief Administrative Law Judge

<sup>&</sup>lt;sup>2</sup> Interim policy adopted in Notice of Proposed Rulemaking, <u>supra</u>. <u>See Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets</u>, 16 FCC Rcd 19861, 19894 - 97 (2001).